

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554**

In the Matter of)	
)	
Implementation of the)	
Telecommunications Act of 1996:)	RM-11277
)	
Petition for Rulemaking to Enhance)	
Security and Authentication Standards)	
For Access to Customer Proprietary)	
Network Information)	

MOTION TO ACCEPT PLEADING AS TIMELY FILED

BellSouth Corporation, on behalf of itself and its wholly owned subsidiaries (“BellSouth”), hereby moves that the Commission accept BellSouth’s Opposition in the above referenced proceeding.

Pursuant to the Commission’s *Public Notice*, Report No. 2726, comments in support or in opposition to the Electronic Privacy Information Center’s Petition for Rulemaking were due to be filed on or before Monday, October 31, 2005. BellSouth attempted to effectuate the filing through the electronic filing system on October 31, but each time an “Application Error” notice was received. BellSouth made at least five attempts to file its pleading, but received this notice each time.¹ Upon contacting the ECFS help desk this morning, November 1, BellSouth was told that the mechanism that would allow filing in the above rulemaking proceeding had not been turned on, but that this has been corrected as of this morning, so that electronic filing is now possible.

¹ A copy of this error confirmation is attached as Exhibit 1.

Because BellSouth was unable to file its pleading on October 31, service was not effected on the Petitioner as noted on the Certificate of Service. BellSouth is serving the Petitioner with this Motion and its Opposition via Federal Express and facsimile today. BellSouth is also filing its Opposition electronically in the above rulemaking proceeding today, November 1, the earliest date that it could make this filing. BellSouth has taken all reasonable measures to ensure that Petitioner obtains access to BellSouth's Opposition at the earliest possible date, considering the circumstances described above.

Accordingly, the Commission should grant BellSouth's Motion.

Respectfully submitted,

BELLSOUTH CORPORATION

By: /s/ Richard M. Sbaratta
Richard M. Sbaratta

Its Attorney

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Date: November 1, 2005



Federal Communications Commission

Application Error(s)

Proceeding RM-11277 is not open for submission to ECFS.

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updated 12/11/03

EXHIBIT 1

CERTIFICATE OF SERVICE

I do hereby certify that I have this 1st day of November 2005 served the following parties to this action with a copy of the foregoing **MOTION TO ACCEPT PLEADING AS TIMELY FILED**.

+Marlene H. Dortch
Secretary
Federal Communications Commission
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Room 5-B540
Washington, D. C. 20554

+ Best Copy and Printing, Inc.
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/s/ Juanita H. Lee _____
Juanita H. Lee

+ VIA ELECTRONIC FILING
* VIA FACSIMILE AND FEDERAL EXPRESS

BellSouth Motion
RM-11277
November 1, 2005
Doc. No. 608146